

1 **ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS**

2 In the Matter of the Mortgage Broker License of:

No. 06F-BD059-BNK

3 **DONALD L. CONDRA**
4 **DBA EXPEDITED MORTGAGE**
5 1910 E. Andy Devine
6 Kingman, AZ 86401

CONSENT ORDER

7 Respondent.

8 On June 29, 2006, the Arizona Department of Financial Institutions ("Department") issued an
9 Order of Summary Suspension and Notice of Hearing alleging that Respondent had violated Arizona
10 law. Wishing to resolve this matter in lieu of an administrative hearing, Respondent does not contest
11 the following Findings of Fact and Conclusions of Law, and consents to the entry of the following
12 Order.

13 **FINDINGS OF FACT**

14 1. Respondent Donald L. Condra ("Mr. Condra") is a sole proprietor doing business as
15 Expedited Mortgage, a Trade Name registered with the Arizona Secretary of State. Mr. Condra is
16 authorized to transact business in Arizona as a mortgage broker, license number MB 0908074,
17 within the meaning of A.R.S. §§ 6-901, *et seq.* The nature of Mr. Condra's business is that of
18 making, negotiating, or offering to make or negotiate loans secured by Arizona real property, within
19 the meaning of A.R.S. § 6-901(6).

20 2. Mr. Condra has been licensed as a mortgage broker since March 3, 2006.

21 3. On or about April 12, 2006, the Department was advised by the Mohave County
22 Attorney's Office that Mr. Condra had supplied false information on his mortgage broker
23 application.

24 4. On April 13, 2006, a Felony Indictment was filed against Mr. Condra in *State of*
25 *Arizona v. Donald Lee Condra*, Mohave County Superior Court, No. CR206-543, charging Mr.
26 Condra with four counts of Forgery, a class 4 felony, two counts of Theft, a class 3 felony, one count

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1 of Fraudulent Schemes and Artifices, a class 2 felony, and Computer Tampering, a class 2 felony.
2 The charges stem from crimes committed by Mr. Condra while employed by the Mohave County
3 Public Works Department.

4 5. On May 25, 2006, a Felony Indictment was filed against Mr. Condra in *State of*
5 *Arizona v. Donald Lee Condra*, Mohave County Superior Court, No. CR2006-790, charging Mr.
6 Condra with one count of False Application for Mortgage Broker License, a class 3 felony.

7 6. On February 15, 2006, Mr. Condra filed a Mortgage Broker License Application for
8 Donald L. Condra dba Expedited Mortgage with the Department. The application packet received
9 by the Department on that date included, among other documents, Mr. Condra's Personal Financial
10 Statement (the "Personal Financial Statement") and Personal History Statement (the "Personal
11 History Statement").

12 7. The Personal Financial Statement lists cash in the bank in the amount of \$362,685.32
13 with a bank account at "Regency Bank, Columbia, South Carolina, John S./Personal Banking Rep.
14 (803) 979-0221." Research reveals that no such bank is located in the State of South Carolina.

15 8. The income listed on the Personal Financial Statement includes "Salary from Loan
16 Officer American One" as \$6,000.00. The Personal History Statement (submitted February 15,
17 2006) lists Mr. Condra's employer from December 2005 to the present as "America One Finance,"
18 located at 7584 Mocking Bird Lane, Dallas Texas 78613, working as a loan officer, and lists John
19 Senior as the supervisor. Mr. Condra also submitted to the Department copies of two letters, dated
20 December 16, 2005, from John Senior, America One Finance, to Mr. Condra, one referenced as
21 "Reference and Background validation," and the other as "Acceptance of Internet Loan Officer
22 Offer."

23 9. The Texas Department of Savings and Mortgage Lending has provided information
24 that (1) no individual by the name of Donald or Don Condra has ever held a loan officer or mortgage
25 broker license in Texas; (2) no institution exempt from license does business in Texas under the
26 name of America One Finance; (3) no individual by the name of John Senior has ever held a loan

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1 officer or mortgage broker license in Texas; and (4) there are a number of licensees doing business
2 as America One Finance, Inc. and/or AOF-American One Finance, Inc. but none are registered to do
3 business as 7584 Mocking Bird Lane in Dallas, Texas. In addition, the Texas Real Estate
4 Commission files list no such person named John Senior, and the telephone number listed on Mr.
5 Senior's letters (214-789-7616) is not listed by any mortgage broker or real estate agency.

6 10. Research reveals that a company by the name of America One Finance is registered
7 with the Texas Secretary of State as a Washington corporation and lists its registered agent as
8 Charles Cooper, located in Plano, Texas, who is a licensed loan officer and the corporation's
9 director, Matthew Simmons is a licensed mortgage broker. America One Finance has no record of
10 employment of Donald Condra. The zip code listed for the address of America One Finance at 7584
11 Mocking Bird Lane, Dallas, Texas, is listed on the Personal History Statement and the letters from
12 John Senior as 78613. According to information from the U.S. Postal Service ("USPS") website,
13 that zip code is not a Dallas zip code, but rather for Cedar Park, Texas, which is a community
14 northwest of Austin. Furthermore, there is no property tax data for the 7584 Mocking Bird Lane
15 address, and the USPS lists it as a "non-deliverable address."

16 11. The Personal History Statement lists Mr. Condra as being employed as a loan officer
17 in Denver, Colorado at two locations: (1) First Street Mortgage, at 4821 S. Ulster Street, from
18 February 1997 to December 2004, with Mike Maxmon listed as supervisor; and (2) C&S Financial
19 Mortgage, at 534 N. Main Street, from March 1994 to February 1997, with John Senior listed as
20 supervisor. The reason given for why Mr. Condra left the employment of both companies is listed as
21 "Merger of Co." Mr. Condra also submitted to the Department a copy of a letter, dated January 11,
22 2006, from Mike Maxmon, Broker/Managing Director, First Street Mortgage, addressed to the
23 Department, referenced as "Recommendation and Verification of Employment for Donald L.
24 Condra."

25 12. The Colorado Division of Securities has provided information that (1) there is no
26 record of an individual by the name of Donald Condra ever located in Colorado; (2) there is no

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1 record of any individual in Colorado with the date of birth and Social Security Number listed for
2 Donald Condra; (3) there is no other individual located in Colorado named Donald Condra with any
3 other date of birth or Social Security number; (4) there is no business named C&S Financial
4 Mortgage that has ever done business in Colorado since 1990, and there is no street named "Main
5 Street" in Denver; (5) there is no record of an individual named John Senior located in Colorado; (6)
6 the Ulster Street address listed for First Street Mortgage is a legitimate address, but the only
7 company by the name of First Street Mortgage is a California corporation that was registered by the
8 Colorado Secretary of State in 1997, but terminated effective July 1, 1999; (7) there is no record of
9 an individual by the name of Mike Maxmon in Colorado; and (8) there is no evidence of a merger
10 for either C&S Financial Mortgage or First Street Mortgage.

11 13. On or about March 17, 2004, Mr. Condra submitted an employment application with
12 Mohave County, applying for the position of Engineering Technician Senior. In that application, Mr.
13 Condra listed employment from December 1993 to November 2003, with C&S Manufacturing, 4911
14 Tangen Boulevard, Pensacola, Florida 32526, working as an Engineer Process Improvement
15 Coordinator through March 1999, and then as an Engineering Construction Solutions Manager, and
16 lists his supervisor as John Sells, Owner/V.P. During the same time period, Mr. Condra's Mortgage
17 Broker Application lists him as working in Denver, Colorado, as a loan officer for C&S Financial
18 Mortgage and First Street Mortgage.

19 14. The Mohave County employment application submitted by Mr. Condra lists the
20 names of two job references with identical telephone numbers as are listed in the Mortgage Broker
21 Application, but for different entities.

- 22 a. The Mohave County application lists "John Allen, Engineering Civil Firm,
23 Dallas TX, (214) 789-7616." The two December 16, 2005 letters to Mr.
24 Condra from John Senior of America One Finance, submitted with the
25 Mortgage Broker Application, state that Mr. Senior's direct line in Dallas is
26 (214) 789-7616."

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b. The Mohave County application lists "Tom Smithers, Civil Engineer, Columbia, S.C., (803) 979-0221." The Personal History Statement submitted with the Mortgage Broker Application lists one of Mr. Condra's bank accounts as "Regency Bank, Columbia South Carolina, John S. / Personal Banking Rep. (803) 979-0221."

15. The Personal History Statement lists Mr. Condra as having attended Apache University in Pensacola, Florida from 1984 to 1989 (Bachelor of Science-Mechanical Engineering) and from 1990 to 1993 (Master of Business Administration). On his Mohave County employment application, Mr. Condra lists receiving a B.S. — Mechanical Engineering from Apache University in 1987, and he further lists Engineering Certification in the State of Florida, at number 10002311743. State of Florida records for certified engineers does not list Mr. Condra and the certification number does not exist.

16. There is no university named Apache University in the State of Florida. Apache University and the degrees issued to Mr. Condra are fabrications created by Mr. Condra. Research reveals that Apache University is a website, located at www.apache-university.edu, which was established by Mr. Condra and is maintained by a web service located in Arizona. The website is linked to a post office box in Apache Junction, Arizona, the telephone number is disconnected, the prefix is for the Mesa, Arizona area, and address listed to contact the university is 1642 McCulloch Blvd. N. 195 in Lake Havasu City, Arizona. This is the address of Havasu Mail & Package Delivery Center. Furthermore, Expedited Networks, another company owned by Mr. Condra, is listed at the same Lake Havasu City address and telephone number.

CONCLUSIONS OF LAW

1. Pursuant to A.R.S. Title 6, Chapter 9, the Superintendent has the authority and duty to regulate all persons engaged in the mortgage broker business and with the enforcement of statutes, rules and regulations relating to mortgage brokers.

2. Respondent has been indicted for forgery, embezzlement, obtaining money under false pretenses, extortion, criminal conspiracy to defraud or a like offense or offenses, and certified copies of the Indictments have been filed with the Superintendent, which are grounds for suspension of Respondent's mortgage broker license, pursuant to A.R.S. § 6-905(B).

3. Respondent has shown that he has made a material misstatement or suppressed or withheld information on the application for a license or any document required to be filed with the Superintendent, which are grounds for the suspension or revocation of Respondent's license pursuant to A.R.S. § 6-905(A)(8).

4. Respondent has shown that he is not a person of honesty, truthfulness and good character, which are grounds for the suspension or revocation of Respondent's license pursuant to A.R.S. § 6-905(A)(2).

5. The violations, set forth above, constitute grounds for the pursuit of any other remedy necessary or proper for the enforcement of statutes and rules regulating mortgage brokers in Arizona pursuant to A.R.S. §§ 6-123 and 6-131.

6. Pursuant to A.R.S. § 6-132, Respondent's violations of the aforementioned statutes are grounds for imposition of a civil penalty of not more than five thousand dollars (\$5,000.00) for each violation for each day.

ORDER

1. Mortgage Broker License Number MB 0908074 is hereby revoked, effective immediately.

2. Donald L. Condra dba Expedited Mortgage shall immediately cease conducting all mortgage broker business in the State of Arizona.

3. The provisions of this Order shall be binding upon Respondent, his employees, agents, and other persons participating in the conduct of the affairs of Respondent.

4. This Order shall become effective upon service, and shall remain effective and enforceable until such time as, and except to the extent that, it shall be stayed, modified, terminated,

1 or set aside.

2 SO ORDERED this 24th day of August, 2006.

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5 Felecia A. Rotellini
Superintendent of Financial Institutions

6 **CONSENT TO ENTRY OF ORDER**

7 1. Respondent acknowledges that he has been served with a copy of the foregoing
8 Findings of Fact, Conclusions of Law, and Order in the above-referenced matter, has read the same,
9 is aware of his right to an administrative hearing in this matter, and has waived the same.

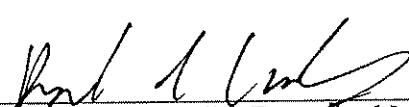
10 2. Respondent admits the jurisdiction of the Superintendent and consents to the entry of
11 the foregoing Findings of Fact, Conclusions of Law, and Order.

12 3. Respondent acknowledges that the acceptance of this Agreement by the
13 Superintendent is solely to settle this matter and does not preclude this Department, any other agency
14 or officer of this state or subdivision thereof from instituting other proceedings as may be
15 appropriate now or in the future

16 4. Donald L. Condra, on behalf of Expedited Mortgage and himself, represents that he is
17 the Owner of Expedited Mortgage and that, as such, has been authorized by Expedited Mortgage to
18 consent to the entry of this Order on its behalf.

19 5. Respondent waives all rights to seek judicial review or otherwise to challenge or
20 contest the validity of this Order.

21 DATED this 19 day of August, 2006.

22
23 By 
Donald L. Condra dba Expedited Mortgage

1 ORIGINAL of the foregoing filed this 24th
2 day of August, 2006, in the office of:

3 Felecia A. Rotellini
4 Superintendent of Financial Institutions
5 Arizona Department of Financial Institutions
6 ATTN: June Beckwith
7 2910 N. 44th Street, Suite 310
8 Phoenix, AZ 85018

9 COPY mailed same date to:

10 Thomas Shedden
11 Administrative Law Judge
12 Office of the Administrative Hearings
13 1400 West Washington, Suite 101
14 Phoenix, AZ 85007

15 Craig A. Raby
16 Assistant Attorney General
17 Office of the Attorney General
18 1275 West Washington
19 Phoenix, AZ 85007

20 Richard Fergus, Licensing Manager
21 Arizona Department of Financial Institutions
22 2910 N. 44th Street, Suite 310
23 Phoenix, AZ 85018

24 Robert D. Charlton, Assistant Superintendent
25 Arizona Department of Financial Institutions
26 2910 N. 44th Street, Suite 310
Phoenix, AZ 85018

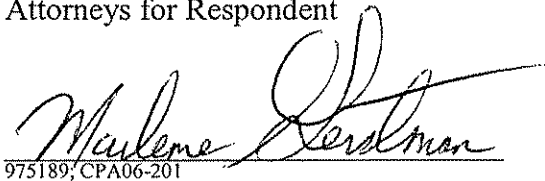
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dba Expedited Mortgage
1910 E. Andy Devine
Kingman, AZ 86401
Respondent

Donald L. Condra
dba Expedited Mortgage
5630 Dunn Way
Kingman, AZ 86401-8606
Respondent

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3 523 N. Beaver Street
4 Flagstaff, AZ 86001
5 Attorneys for Respondent

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